

## **NEGATIVE DECLARATION**

August 3, 2006

Project Name: MATTHEW 12<sup>TH</sup> STREET MINOR SUBDIVISION

Project Number(s): TPM 20909, V05-016, Log No. 05-09-002

**This Document is Considered Draft Until it is Adopted by the Appropriate  
County of San Diego Decision-Making Body.**

This Negative Declaration is comprised of this form along with the Environmental Initial Study that includes the following:

- a. Initial Study Form
  - b. Environmental Analysis Form and attached extended studies for Hydrology and Stormwater
1. California Environmental Quality Act Negative Declaration Findings:

Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period; and that revisions in the project plans or proposals made by or agreed to by the project applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and, on the basis of the whole record before the decision-making body (including this Mitigated Negative Declaration) that there is no substantial evidence that the project as revised will have a significant effect on the environment.
2. Required Mitigation Measures:

Refer to the attached Environmental Initial Study for the rationale for requiring the following measures:

A. TRANSPORTATION

1. The payment of the Transportation Impact Fee, which will be required at issuance of building permits, in combination with other components of this program, will mitigate potential cumulative traffic impacts to less than significant.

3. Critical Project Design Elements That Must Become Conditions of Approval:

The following project design elements were either proposed in the project application or the result of compliance with specific environmental laws and regulations and were essential in reaching the conclusions within the attached Environmental Initial Study. While the following are not technically mitigation measures, their implementation must be assured to avoid potentially significant environmental effects.

DEPARTMENT OF PUBLIC WORKS CONDITIONS

A. THE FOLLOWING CONDITIONS SHALL BE COMPLIED WITH BEFORE A PARCEL MAP IS APPROVED BY THE COUNTY OF SAN DIEGO, DEPARTMENT OF PUBLIC WORKS, AND FILED WITH THE COUNTY RECORDER OF SAN DIEGO COUNTY:

1. The Parcel Map shall show an accurate and detailed Vicinity Map.

2. SIGHT DISTANCE

- a. Prior to recordation, a registered civil engineer, a registered traffic engineer, or a licensed land surveyor shall provide a signed statement that physically, there is a minimum unobstructed sight distance in both directions along 12th Street from the driveway openings, for the prevailing operating speed of traffic on 12th Street. Any vegetation currently obstructing sight distance shall be removed or cut back. If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify that said lines of sight fall within the existing right-of-way and a clear space easement is not required.

3. ROAD DEDICATIONS

- a. Offer to dedicate the right-of-way required to complete a thirty-foot (30') wide, one-half right-of-way, plus the right to

construct and maintain slopes and drainage improvements as required beyond the thirty-foot (30') limit for that portion within the land division for 12th Street. The Parcel Map shall be prepared to show the offer being accepted.

- b. Any dedication or offer of dedication shall be free of any burdens or encumbrances which would interfere with the purpose for which the dedication or offer of dedication is required. All easements of any type must be plotted on the Parcel Map.

4. SPECIAL DISTRICTS/ROAD MAINTENANCE/COVENANTS/  
DEVELOPMENT IMPACT FEES

- a. The subdivider shall authorize DPW Lighting District to process the project into the San Diego County Street Lighting District. After recordation of the Parcel Map, the land division shall be transferred, without notice or hearing, to Zone "A" of the San Diego County Street Lighting District. The developer shall cover the cost of processing by making a minimum payment at Land Development Counter Services.
- b. The subdivider shall sign a covenant agreeing not to oppose the formation of a Road Improvement District (RID). [This refers to 12th Street].

5. FACILITY/UTILITY ARRANGEMENTS

- a. The subdivider shall comply with Section 66436 of the Government Code by furnishing to the County of San Diego, Department of Public Works, a certification from each public utility and each public entity owning easements within the proposed land division stating that: (a) they have received from the subdivider a copy of the proposed Parcel Map; (b) they object or do not object to the filing of the Map without their signature.
- b. Prior to recordation of the Parcel Map, approval of improvement and/or grading plans, issuance of excavation permits, and issuance of any further grant of approval, the owners of this project will be required to sign a statement that they are aware of the County of San Diego, Department

of Public Works, Pavement Cut Policy and that they have contacted all adjacent property owners and solicited their participation in the extension of utilities. Department of Public Works policy prohibits trench cuts for undergrounding of utilities in all new, reconstructed, or resurfaced paved County-maintained roads for a period of three years following project surface application. Therefore, you will need to notify all adjacent property owners who may be affected by this policy and are considering development of applicable properties.

- B. BECAUSE THEY HAVE BEEN FOUND NECESSARY FOR THE PUBLIC HEALTH AND SAFETY AND ARE A NECESSARY PREREQUISITE TO THE ORDERLY DEVELOPMENT OF THE AREA, THE FOLLOWING PUBLIC IMPROVEMENTS MUST BE COMPLETED, OR A SECURED AGREEMENT EXECUTED, PRIOR TO RECORDING A PARCEL MAP. THE AGREEMENT REQUIRES POSTING SECURITY IN FORM OF A CASH DEPOSIT, IRREVOCABLE LETTER OF CREDIT OR AN INSTRUMENT OF CREDIT VALUED AT, OR MORE THAN, THE ESTIMATED IMPROVEMENT COST. IT ALSO REQUIRES IMPROVEMENTS BE COMPLETED WITHIN TWENTY-FOUR (24) MONTHS OF RECORDING THE PARCEL MAP, AND PRIOR TO GRANTING OF ANY APPROVAL OF DEVELOPMENT OF ANY PARCEL CREATED BY THIS MAP, EXCEPT BUILDING AND ASSOCIATED PERMITS CAN BE ISSUED REQUIRING COMPLETION OF PUBLIC IMPROVEMENTS PRIOR TO OCCUPANCY OF THE BUILDING.

1. PUBLIC ROAD IMPROVEMENTS

- a. The project's 12th Street frontage shall be improved with two (2) P.C.C. driveways per San Diego County Public Road Standards and San Diego County Design Standards, to the satisfaction of the Department of Public Works. NOTE: If existing 12th Street half-width improvements are less than twenty feet (20'), G-14 driveways shall have taper transitions from new driveway flares to existing improvements on 12th Street.
- b. All new utility distribution facilities, including cable television lines, shall be placed underground. All utility installations shall be completed before installing the driveways. This is not intended to include undergrounding of existing overhead utilities.

- c. A Construction Permit shall be obtained for the work within the right-of-way.

C. BECAUSE THEY HAVE BEEN FOUND NECESSARY FOR THE PUBLIC HEALTH AND SAFETY AND ARE A NECESSARY PREREQUISITE TO THE ORDERLY DEVELOPMENT OF THE AREA, THE FOLLOWING PUBLIC IMPROVEMENTS MUST BE COMPLETED OR A SECURED AGREEMENT EXECUTED, PRIOR TO RECORDING A PARCEL MAP. THE AGREEMENT REQUIRES POSTING OF SECURITY IN FORM OF A CASH DEPOSIT, IRREVOCABLE LETTER OF CREDIT OR AN INSTRUMENT OF CREDIT VALUED AT, OR MORE THAN THE ESTIMATED IMPROVEMENT COST. IT ALSO REQUIRES IMPROVEMENTS BE COMPLETED WITHIN TWENTY-FOUR (24) MONTHS FROM THE DATE OF RECORDING THE PARCEL MAP OR PRIOR TO THE ISSUANCE OF A PERMIT OR OTHER GRANT OF APPROVAL FOR THE DEVELOPMENT OF A PARCEL CREATED BY THIS MAP, WHICHEVER OCCURS FIRST UNLESS OTHERWISE NOTED. NOTE: THE PROCESSING OF SECURITY TAKES APPROXIMATELY TWO (2) MONTHS. YOU SHOULD INITIATE THIS PROCESS TWO (2) MONTHS PRIOR TO RECORDING THE PARCEL MAP.

1. FLOODING/DRAINAGE IMPROVEMENTS/TRAFFIC MITIGATION

- a. Participate in the construction of planned drainage facilities for Zone 1, Planned Local Drainage Area 43E, by paying a drainage fee of \$330.

The Director of Planning and Land Use hereby determines that:

- (1) The fee is to assist in financing the construction of the planned local drainage (PLD) facilities for Zone 1, Local Drainage Area 43E;
- (2) The fee will be used to contribute toward the construction of drainage facilities such as: reinforced concrete pipe culverts, corrugated metal pipe culverts, concrete-lined trapezoidal channels, rock-lined channels, reinforced box culverts, concrete dip sections, energy dissipaters, rip-rap slope protection, etc., planned for Zone 1, Local Drainage Area 43E, specified in the Drainage Fee Ordinance No. 5856

(N.S.) on file with the County of San Diego,  
Department of Public Works;

- (3) The Board of Supervisors has determined that facilities for the removal of surface and storm waters from local or neighborhood drainage areas within Zone 1, Local Drainage Area 43E, need to be constructed as subdivision of land and other development occurs such as that proposed by TPM 20909, to protect and benefit all property in the area;
- (4) To provide adequate flood protection for future occupants of this residential development, it is necessary to construct the planned drainage facilities to remove surface and storm waters from local or neighborhood drainage areas; and
- (5) The fees established for Zone 1, Local Drainage Area 43E, are based on estimated costs of the planned drainage facilities which are apportioned within the drainage area on the basis of benefit conferred on the property.

D. OTHER REQUIREMENTS

- 1. The Basis of Bearings for the Parcel Map shall be in terms of the California Coordinate System Zone 6 NORTH AMERICAN DATUM OF 1983 by use of existing Horizontal Control. To be in compliance with the Public Resources Code, all (Parcel) or (Subdivision) Map surveys performed after January 1, 2000 must use a Basis of Bearings established from existing Horizontal Control Stations with first order accuracy.
- 2. Prior to January 1, 2000, a survey for any Parcel Map that is to be based on state plane coordinates shall show two measured ties from the boundary of the subject property to existing Horizontal Control station(s) having California coordinate values of Third order accuracy or better, as published in the County of San Diego's Horizontal Control book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e. Grid bearings and Grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for

conversion of Ground-to-Grid distances shall be shown on the map, all to the satisfaction of the County of San Diego, Director of Public Works (Refer to San Diego County Subdivision Ordinance Section 81.811 and 81.506(j)).

After December 31, 1999, a survey for any Parcel Map that is to be based on state plane coordinates shall show two measured ties from the boundary of the subject property to existing Horizontal Control station(s) having California Coordinate values of first order accuracy or better, as published in the County of San Diego's Horizontal Control book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e. Grid bearings and Grid distances). All other distances shown on the map are to be shown as Ground distances. A combined factor for conversion of Grid-to-Ground distances shall be shown on the map. For purposes of this section, the date of survey for the field observed connections shall be the date of survey as indicated in the surveyor's / engineer's certificate as shown on the final map.

3. Comply with all applicable Stormwater regulations at all times. The activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (Ordinance No. 9424 and Ordinance No. 9426) and all other applicable ordinances and standards. This includes requirements for materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas greater than 1 acre require that the property owner keep additional and updated information on-site concerning Stormwater runoff. This requirement shall be to the satisfaction of the Director of Public Works.
4. All plans shall be in conformance with the following:
  - Sections 811.201 through 811.602 of Ordinance No. 8334 pertaining to Flood Hazards
  - Sections 88.100 through 88.500 of Ordinance No. 3172 (amendments by Ordinances No. 5147, 5150, 5406, 5521, 5827, 6051, 7141, 7801, 7986) pertaining to Drainage and Watercourses

- Sections 87.101 through 87.717 of Ordinance 2925  
(amendments by Ordinances No. 3281, through 8691)  
pertaining to Excavation and Grading

**ADOPTION STATEMENT:** This Negative Declaration was adopted and above  
California Environmental Quality Act findings made by the:

Director of Planning and Land Use

on \_\_\_\_\_

JOSEPH FARACE, Planning Manager  
Regulatory Planning Division

JF:GW:jcr

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